IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

Crl.Rev.Pet.No. 2754 of 2007()

CRA.1088/2005 of SPL.COURT SPE/CBI-II & IV ADDL.SESSIONS COURT, ERNAKULAM

CC.408/2002 of JUDL.MAGISTRATE OF FIRST CLASS, PARAVUR

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED:

THAMPI, AGED 51,
S/O. PRABHAKARAN, ELAMANA HOUSE, EZHIKKARA P.O.,
EZHIKKARA VILLAGE, NORTH PARAVUR.

BY ADV. SRI.S.RAJKUMAR

RESPONDENTS: RESPONDENT/COMPLAINANT:

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1. E.C. UNNIKRISHNAN, AGED 50 YEARS,
S/O. CHANDRASEKHARAN, ELAMANA HOUSE,
EZHIKKARA P.O., NORTH PARAVUR.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.GANESH G.PILLAI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 2754 of 2007

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Dated, this the 20th day of July 2007

ORDER

The accused in C.C.No. 408 of 2002 on th**e file** of the J.F.C.M, North Parur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. **Crl.M.A 7970 of 2007** has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,

(JUDGE)

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